

# EXHIBIT 4

**Matt H. Cline**

---

**From:** Matt H. Cline  
**Sent:** Wednesday, January 06, 2016 9:03 AM  
**To:** 'Gerard Stranch'; 'Ben Gastel'; 'Kent Krause'  
**Cc:** Chris J. Tardio; Ginger F. Ward  
**Subject:** RE: MTC to SSC/Lister

Gerard:

Here is a further explanation to permit you to evaluate the claim of privilege for the emails you identified:

SSC – 5890 – 91 – Series of emails 10/8/12 between Kim Bowlin and the members of SSC, copying Calisher and Associates, CJ Gideon, Matt Cline, and Jeff Woods (an attorney at SVMIC). As indicated in the unredacted email, the email chain pertains to restarting steroid injections at SSC. The emails are privileged by attorney-client privilege, the work-product doctrine, and/or the joint defense privilege.

SSC – 5892 – Email dated 11/15/12 to CJ Gideon, Matt Cline, Jeff Woods (again, an attorney at SVMIC) from Kim Bowlin forwarding the unredacted information below with a note to us. The redacted email is covered by attorney-client privilege, the work-product doctrine, and/or the joint defense privilege.

Thanks.

Matt

Matthew H. Cline  
Gideon, Cooper & Essary, PLC  
UBS Tower, Suite 1100  
315 Deaderick Street  
Nashville, TN 37238  
Phone: (615) 254-0400  
Fax: (615) 254-0459  
[matt@gideoncooper.com](mailto:matt@gideoncooper.com)

---

**From:** Matt H. Cline  
**Sent:** Tuesday, January 05, 2016 5:47 PM  
**To:** 'Gerard Stranch'; Ben Gastel; Kent Krause  
**Cc:** Chris J. Tardio; Ginger F. Ward  
**Subject:** RE: MTC to SSC/Lister

Yes. The confusion arose from the typo. I'll be in touch.

Matthew H. Cline  
Gideon, Cooper & Essary, PLC  
UBS Tower, Suite 1100  
315 Deaderick Street  
Nashville, TN 37238  
Phone: (615) 254-0400  
Fax: (615) 254-0459  
[matt@gideoncooper.com](mailto:matt@gideoncooper.com)

---

**From:** Gerard Stranch [<mailto:gerards@bsjfirm.com>]  
**Sent:** Tuesday, January 05, 2016 5:08 PM

**To:** Matt H. Cline; Ben Gastel; Kent Krause

**Cc:** Chris J. Tardio; Ginger F. Ward

**Subject:** RE: MTC to SSC/Lister

Matt,

We want information to evaluate the privilege with respect to Exhibit 3 to SSC's Responses to the 2<sup>nd</sup> RFPs, which contained redactions at SSC-05890-92. The only information we have is a representation in the Response to RFP #1 that "emails between SSC and counsel" have been redacted. That is not sufficient for us to evaluate the claim of privilege.

I think the confusion is over a typo in the brief that at one point references the 1<sup>st</sup> RFPs and not the 2<sup>nd</sup> RFPs.

Does that answer your question?

Gerard

---

**From:** Matt H. Cline [<mailto:matt@gideoncooper.com>]

**Sent:** Tuesday, January 5, 2016 11:49 AM

**To:** Ben Gastel; Kent Krause; Gerard Stranch

**Cc:** Chris J. Tardio; Ginger F. Ward

**Subject:** RE: MTC to SSC/Lister

Gerard/Ben:

I am still waiting for a substantive response to my email of 12/20 below (see highlighting). When can I expect a response?

Thanks.

Matt

Matthew H. Cline  
Gideon, Cooper & Essary, PLC  
UBS Tower, Suite 1100  
315 Deaderick Street  
Nashville, TN 37238  
Phone: (615) 254-0400  
Fax: (615) 254-0459  
[matt@gideoncooper.com](mailto:matt@gideoncooper.com)

---

**From:** Ben Gastel [<mailto:beng@bsjfirm.com>]

**Sent:** Wednesday, December 23, 2015 2:25 PM

**To:** Matt H. Cline; Kent Krause; Gerard Stranch

**Cc:** Chris J. Tardio; Ginger F. Ward

**Subject:** RE: MTC to SSC/Lister

We are fine with both extensions. As for the first issue in the letter below, Gerard has been traveling and out of the office, but when he is back next week we will get back to you.

Thank You,

Ben Gastel

**Branstetter, Stranch & Jennings, PLLC**

The Freedom Center  
223 Rosa L. Parks Avenue, Suite 200  
Nashville, TN 37203  
P: 615.254.8801  
F: 615.255.5419

**\*\*Please note that our firm changed addresses effective June 29, 2015.**

---

**From:** Matt H. Cline [<mailto:matt@gideoncooper.com>]  
**Sent:** Wednesday, December 23, 2015 2:22 PM  
**To:** Kent Krause <[KKrause@bkblaw.com](mailto:KKrause@bkblaw.com)>; Gerard Stranch <[gerards@bsjfirm.com](mailto:gerards@bsjfirm.com)>; Ben Gastel <[beng@bsjfirm.com](mailto:beng@bsjfirm.com)>  
**Cc:** Chris J. Tardio <[chris@gideoncooper.com](mailto:chris@gideoncooper.com)>; Ginger F. Ward <[ginger@gideoncooper.com](mailto:ginger@gideoncooper.com)>  
**Subject:** RE: MTC to SSC/Lister  
**Importance:** High

Gerard/Ben:

Kent and I are still waiting for a response to our emails below. Please let us hear from you by 4:00 pm CST today regarding the extensions.

Thanks.

Matthew H. Cline  
Gideon, Cooper & Essary, PLC  
UBS Tower, Suite 1100  
315 Deaderick Street  
Nashville, TN 37238  
Phone: (615) 254-0400  
Fax: (615) 254-0459  
[matt@gideoncooper.com](mailto:matt@gideoncooper.com)

---

**From:** Kent Krause [<mailto:KKrause@bkblaw.com>]  
**Sent:** Sunday, December 20, 2015 3:00 PM  
**To:** Matt H. Cline; 'Gerard Stranch ([gerards@bsjfirm.com](mailto:gerards@bsjfirm.com))'; [beng@bsjfirm.com](mailto:beng@bsjfirm.com)  
**Cc:** Chris J. Tardio; Ginger F. Ward  
**Subject:** RE: MTC to SSC/Lister

Gerard and Ben, ditto on the Motion to Modify. Response is due 12/29. Can we file a stipulation on that one as well?

**Kent E. Krause**  
*Attorney at Law*



611 Commerce St., Ste. 2600, Nashville, TN 37203

Mailing: P.O. Box 23890, Nashville, TN 37202-3890

Website: [www.bkblaw.com](http://www.bkblaw.com)

Direct: 615-630-7755 Fax: 615-256-8985

\*\*\*\*\*  
NOTICE: This electronic mail transmission may constitute an attorney-client communication that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail so that our address record can be corrected.  
\*\*\*\*\*

---

**From:** Matt H. Cline [<mailto:matt@gideoncooper.com>]  
**Sent:** Sunday, December 20, 2015 1:42 PM  
**To:** 'Gerard Stranch ([gerards@bsjfirm.com](mailto:gerards@bsjfirm.com))'; [beng@bsjfirm.com](mailto:beng@bsjfirm.com)  
**Cc:** Kent Krause; Chris J. Tardio; Ginger F. Ward  
**Subject:** MTC to SSC/Lister

Gerard/Ben:

I write regarding your motion to compel directed to SSC and Dr. Lister at Doc. 2494.

First, you have asked the Court to compel us to provide information about redactions in Exhibit 3 to SSC's Responses to the PSC's First Requests for Production. What redactions are you referring to? We provided an explanation both in our responses themselves (e.g., Response to Request for Production 7) and on the coversheets to the various subcategories of documents within Exhibit 3 (e.g., SSC – 00240). If there are specific documents to which you are referring, please identify them by Bates number. I think we can probably resolve this issue without court intervention, but it was never brought up in our previous "meet and confers."

Second, given the holidays, we will likely need the 10-day extension permitted by MDL Order No. 11 to respond. Please let us know if you will consent to the extension so we can file either a stipulation or notice of extension. Our deadline is currently December 28. I believe the 10-day extension would make our deadline January 7.

Thanks.

Matt

Matthew H. Cline  
Gideon, Cooper & Essary, PLC  
UBS Tower, Suite 1100  
315 Deaderick Street  
Nashville, TN 37238  
Phone: (615) 254-0400  
Fax: (615) 254-0459  
[matt@gideoncooper.com](mailto:matt@gideoncooper.com)

IMPORTANT: This communication from the law firm of Branstetter, Stranch & Jennings, PLLC is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and contains information that may be confidential and privileged. Be advised that if you are not the intended recipient(s), any dissemination, distribution or copying of this communication is prohibited. Please notify the undersigned immediately by telephone or return e-mail.

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS and other taxing authorities, we inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties that may be imposed on any taxpayer or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

This message is intended for the named recipients only. It may contain information protected by the attorney-client or work-product privilege. If you have received this email in error, please notify the sender immediately by replying to this email. Please do not disclose this message to anyone and delete the message and any attachments. Thank you.